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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/820,893	04/08/2004	Seppo Rousu	KOLS.104PA	8892

7590 12/28/2007  
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EXAMINER
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EWART, JAMES D

ART UNIT	PAPER NUMBER
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2617

MAIL DATE	DELIVERY MODE
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12/28/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/820,893

Applicant(s)

ROUSU ET AL.

Examiner

James D. Ewart

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on amendment dated 12/03/2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-15, 17-20, 22-32, 34-41, 43-46 and 48-57 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 41 is/are allowed.
- 6) ☒ Claim(s) 1-15, 17-20, 22-32, 34-40, 43-46 and 48-57 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

***Response to Arguments***

1. Applicant's arguments filed December 03, 2007 have been fully considered but the arguments relating to the independent claims are moot in view of new grounds of rejection.
2. Regarding Applicant's argument of claim 19, that the server is not a participant of the group call, the Examiner disagrees. The group server has a major role in the participation of the group call and therefore is a participant. The Applicant doesn't define a participant in the claims as a user and only states in claim 7 that the "the mobile device is a participating in a group call". Furthermore, claim 7 indicates the mobile device is participating, not the user of the mobile device.
3. Regarding Applicant's assumption that claims 48,49,54 and 56 belonged with the group of claims rejected by Sandhu et al and Das et al. Applicant is correct. However, the argument of these claims is moot in view of new grounds of rejection.
4. Regarding Applicant's comment that the Examiner indicates that claim 11 is dependent on claim 10, the Examiner made a typographical error and this should have been observed by the rejection statement that does not include the Jones reference which is the reference used to reject claim 10. Since the Applicant has amended each of the independent claims, thus changing the scope of the claim, the Examiner is making this office action final.

5. Regarding claim 11, Applicants further argues that Kennedy III fails to teach at least one packet comprising information about location replacing at least one speech or data packet. In Column 8, Lines 47-55 Kennedy III states: “The data messages may contain information that initiated the reporting event, such as a signal indicating connection of the truck trailer to a cab, and also other monitored information, such as the location of the truck trailer at the time of the reporting event. Ultimately data messages transmitted from messaging unit 16 are routed through platform 24, clearinghouse 22, or both and accessed by host 26, as shown in FIG. 1. A data message may be communicated over network 10 using either a voice channel or a data channel. “ and in Column 9, Lines 55-60 that: “The data message may contain location and status information of truck trailer 12 in a standard data package for transmission by modem 48. It should be understood that the invention contemplates any suitable modem transfer protocol and compression technique to prepare the data for transmission by modem 48. “ and in Column 22, Lines 44-45 Kennedy III states that the communication method can be data packet communication. Thus the data message would be packetized and the location data would have to be placed in one of the packets, thus replacing at least one speech or data packet.

6. Regarding Applicant’s assumption that the Kinnunen reference is the 6,813,501 patent and not the 5,544,225 patent is correct. Applicant further argues that Kinnunen does not teach the mobile device includes in the location information the method in which the location of the mobile device is determined. Sandhu teaches in Column 2, Lines 36-41 that “A mobile unit tracks its own location through a location – determining technology, for example GPS, time difference of arrival (TDOA), or angle of arrival (AOA)... The mobile unit encapsulates the

location data and the user input in an outbound package". Kinnunen et al. teaches including the location determination method with the location to indicate the reliability of the location information. Being that the mobile unit of Sandhu tracks its own location and encapsulates the location into an outbound package, an obvious modification would follow that the mobile unit encapsulates the location determination method into the outbound package as well so that the other devices can determine the reliability of the location information.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-9,12,14,18-20,22-25,28-30,38-40,45,48,49,54 and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sandhu et al (U.S. Patent No. 6,867,733) in view of Asako (U.S. Patent No. 5,602,665) in view of Bostrom et al. (U.S. Patent Publication No. 2004/0266456)

Referring to claims 1 and 28, Sandhu et al teaches a data communication method in a communication system (Column 2, lines 34-35), comprising: transmitting and receiving speech and/or data by means of a mobile device of the communication system and by using a predetermined transmission resource (Column 2, Lines 58-61), determining the location of the

mobile device of the communication system (Column 2, Lines 36-38), responsive to the detection of speech and / or data (Column 4, Lines 58-62), transmitting with the speech and/or data, information about the location of the mobile device to a predefined group of users (Column 5, Lines 35-51), currently connected to a network element of the communication system (Column 3, Lines 38-43 and Figure 1), but does not teach that when the communication device transmits data it detects the transmission and responds to the transmission. Asako teaches that when the communication device transmits data (Column 1, Lines 29-30) it detects the transmission and responds to the transmission (abstract and Column 6, Lines 26-32). Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to combine the teaching of Sandhu et al with the teaching of Asako that when the communication device transmits data it detects the transmission and responds to the transmission to provide a method of detecting the transmission of data. Sandhu et al and Asako et al teach the limitations of claims 1 and 28 but do not teach acknowledging the reception of location information to which the information about the location of the device was transmitted. Bostrom et al. teaches acknowledging the reception of location information to which the information about the location of the device was transmitted (0018, the VMS in step 122 retrieves the previously stored GPS coordinates for the "car" and transmits a reply message to device 16....Preferable device 16 acknowledges the receipt of the reply message to the VMS.). Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to combine the teaching of Sandhu et al and Asako et al with the teaching of Bostrom et al. of acknowledging the reception of location information to which the information about the location of the device was transmitted to indicate that the reply message was received (0018).

Referring to claims 25 and 45, Sandhu et al teaches a data communication method in a communication system (Column 2, lines 34-35), comprising: transmitting and receiving speech and/or data by means of a mobile device of the communication system and by using a predetermined transmission resource (Column 2, Lines 58-61), determining the location of the mobile device of the communication system (Column 2, Lines 36-38), responsive to the detection of speech and / or data (Column 4, Lines 58-62), transmitting with the speech and/or data, information about the location of the mobile device to a predefined group of users (Column 5, Lines 35-51), currently connected to a network element of the communication system (Column 3, Lines 38-43 and Figure 1), taking predefined privacy levels assigned to predefined groups or to users belonging to predefined groups are taken into account in the transmission of information (Column 5, Lines 53-65), but does not teach that when the communication device transmits data it detects the transmission and responds to the transmission. Asako teaches that when the communication device transmits data (Column 1, Lines 29-30) it detects the transmission and responds to the transmission (abstract and Column 6, Lines 26-32). Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to combine the teaching of Sandhu et al with the teaching of Asako that when the communication device transmits data it detects the transmission and responds to the transmission to provide a method of detecting the transmission of data. Sandhu et al and Asako et al teach the limitations of claims 1 and 28 but do not teach acknowledging the reception of location information to which the information about the location of the device was transmitted. Bostrom et al. teaches acknowledging the reception of location information to which the information about the location of the device was transmitted (0018, the VMS in step 122 retrieves the previously stored GPS

coordinates for the "car" and transmits a reply message to device 16....Preferable device 16 acknowledges the receipt of the reply message to the VMS.). Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to combine the teaching of Sandhu et al and Asako et al with the teaching of Bostrom et al. of acknowledging the reception of location information to which the information about the location of the device was transmitted to indicate that the reply message was received (0018).

Referring to claim 38, Sandhu et al teaches a telecommunication system (Figure 1), comprising: least a first and second mobile device (Figure 1) at least one network element (Figure 1) means to determine the location of the first mobile device (Figure 2, GPS receiver), wherein the first mobile device includes transmitting means for transmitting with speech and or data information about the location of the first mobile device to a predefined group of users (Column 5, Lines 35-51) connected to a network element of the communication system (Column 3, Lines 38-43 and Figure 1) in response to the detection of speech and / or data (Column 4, Lines 58-62), taking predefined privacy levels assigned to predefined groups or to users belonging to predefined groups are taken into account in the transmission of information about the location of the first mobile device (Column 5, Lines 53-65) wherein the at least one network element is configured to receive information about the location of the first mobile device and to store the information (Figure 4, 45), but does not teach that when the communication device transmits data it detects the transmission and responds to the transmission. Asako teaches that when the communication device transmits data (Column 1, Lines 29-30) it detects the transmission and responds to the transmission (abstract and Column 6, Lines 26-32). Therefore,



at the time of the invention, it would have been obvious to one of ordinary skill in the art to combine the teaching of Sandhu et al with the teaching of Asako that when the communication device transmits data it detects the transmission and responds to the transmission to provide a method of detecting the transmission of data. Sandhu et al and Asako et al teach the limitations of claims 1 and 28 but do not teach acknowledging the reception of location information to which the information about the location of the device was transmitted. Bostrom et al. teaches acknowledging the reception of location information to which the information about the location of the device was transmitted (0018, the VMS in step 122 retrieves the previously stored GPS coordinates for the “car” and transmits a reply message to device 16....Preferable device 16 acknowledges the receipt of the reply message to the VMS.). Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to combine the teaching of Sandhu et al and Asako et al with the teaching of Bostrom et al. of acknowledging the reception of location information to which the information about the location of the device was transmitted to indicate that the reply message was received (0018).

Referring to claim 2, Sandhu et al further teaches determining the location in the mobile device (Column 2, Line 36).

Referring to claims 3 and 30, Sandhu et al further teaches determining the location using a satellite positioning system (Column 2, Lines 37).

Referring to claims 4 and 29, Sandhu et al. further teaches establishing a packet switched connection between the mobile device and a network element of the communication system as the predetermined transmission resource (Figure 2, 32).

Referring to claim 5, Sandhu et al further teaches transmitting information about the location in response to a command given by the user of the device (Column 2, Lines 39-43).

Referring to claim 6, Sandhu et al further teaches detecting a change in the location of the mobile device; transmitting information about the location on the basis of the detection (Column 3, Lines 2-5 & Column 6, Lines 11-14).

Referring to claim 7, Sandhu et al further teaches wherein the mobile device is participating a group call (Column 5, Lines 38-43 and Column 8, Lines 11-12).

Referring to claim 8, Sandhu et al further teaches wherein the predefined group of users is participating in a group call (Column 5, Lines 38-43 & Column 8, Lines 11-12).

Referring to claim 9, Sandhu et al further teaches wherein at least one user of the predefined group of users receives the information about the location using a mobile device (Column 2, Lines 34-35).

Referring to claim 12, Sandhu et al further teach wherein at least one packet comprising information about the location is transmitted among speech or data packets (Column 2, Lines 39-43 and Column 7, Lines 37-39).

Referring to claim 14, Sandhu et al further teaches wherein the information about the location of the mobile device is sent as a separate message (Column 6, Lines 4-6 and Column 4, Lines 64-66).

Referring to claim 18, Sandhu et al further teaches receiving a location query from the system (Column 6, Lines 4-6), and determining and transmitting information about the location of the mobile device in response to the query (Column 5, Line 67). The mobile device request is from the system.

Referring to claim 19, Sandhu et al. further teaches wherein each device participating in the group call transmits information about its location to a predetermined participant in the group call (Column 2, Lines 39-43), and the predetermined participant in the group call transmits the information about the location of each device to all participants (Column 2, Lines 58-62). Examiner equates the service provider server with the predetermined participant.

Referring to claim 20, Sandhu et al further teaches wherein the time when location was determined is included in the location information (Column 4, Line 66 to Column 5, Line 2).

Referring to claim 22, Sandhu et al further teaches transmitting location information to a network server connected to the communication system (Column 2, Lines 39-43 and Figure 4), and storing location information in the network server (Figure 4).

Referring to claim 23, Sandhu et al further teaches wherein the location information is sent without intervention by the user of the device (Column 4, Lines 63-66).

Referring to claim 24, Sandhu et al further teaches wherein the information about the location of the mobile device is used as input information for an application running in a mobile device or a computer (Column 3, Lines 6-10).

Referring to claim 39, Sandhu et al further teaches a network server configured to transmit location information relating to a mobile device to a group of other devices (Column 2, Lines 58-62 and Figure 4).

Referring to claim 40, Sandhu et al further teaches wherein the time when the location was determined is included in the location information (Column 4, Line 66 to Column 5, Line 2).

Referring to claim 48, Sandhu et al further teaches updating and maintaining the predefined group of users by a presence server (Column 6, Lines 24-29).

Referring to claim 49, Sandhu et al further teaches storing the location information (Figure 4, 46) and the identities of the users of the predefined group by individual network elements (Figure 4, 42).

Referring to claim 54, Sandhu et al further teaches wherein the information about the location of the mobile device is transmitted by a dedicated protocol between the mobile device and the network element or between the mobile device and mobile devices of the predetermined group of users (Column 4, Lines 58-62).

Referring to claim 56, Sandhu et al further teaches wherein the network element requests authentication of a terminal before sharing information from the network element (Column 5, Lines 20-25).

8. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sandhu et al., Asako and Bostrom et al. in view of Jones (US Patent Publication No. 2003/0079135)

Referring to claim 10, Sandhu et al., Asako and Bostrom et al. teach the limitations of claim 10, but do not teach wherein at least one user receives the information about the location by using a personal computer. Jones teaches wherein at least one user receives the information about the location by using a personal computer (0012 and Figure 1, 19). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Sandhu et al., Asako and Bostrom et al. with the teaching of Jones

wherein at least one user receives the information about the location by using a personal computer to allow others to monitor progress on a journey (0012).

9. Claims 11 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sandhu et al., Asako and Bostrom et al. in view of Kennedy, III et al. (US Patent No. 5,544,225)

Referring to claim 11, Sandhu et al., Asako and Bostrom et al. teach the limitations of claim 11, but do not teach wherein at least one packet comprising information about the location replaces at least one speech or data packet. Kennedy, III et al. teaches wherein at least one packet comprising information about the location replaces at least one speech or data packet (Column 22, Lines 35-45). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Sandhu et al., Asako and Bostrom et al. with the teaching of Kennedy, II et al. wherein at least one packet comprising information about the location replaces at least one speech or data packet to provide location information via a voice or data connection (Column 8, Lines 54-56).

Referring to claim 31, Sandhu et al., Asako and Bostrom et al. teach the limitations of claim 31, but do not teach determining the location of the mobile device using an inertia navigation arrangement. Kennedy, III et al. teaches determining the location of the mobile device using an inertia navigation arrangement (Column 7, Lines 5-9). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Sandhu et al., Asako and Bostrom et al. with the teaching of Kennedy,

III et al. of determining the location of the mobile device using an inertia navigation arrangement to provide location data when GPS reception is difficult due to tunnels and other obstacles blocking the GPS signals.

10. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sandhu et al., Asako and Bostrom et al. in view of Schuster et al. (US Patent No. 6,577,622).

Referring to claim 13, Sandhu et al., Asako and Bostrom et al. teach the limitations of claim 13, but do not teach wherein each packet comprises information about whether it contains speech, data or information about the location of the mobile device. Schuster et al. teaches wherein each packet comprises information about whether it contains speech, data or information about the location of the mobile device (Column 18, Lines 27-32). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Sandhu et al., Asako and Bostrom et al. with the teaching of Schuster et al. wherein each packet comprises information about whether it contains speech, data or information about the location of the mobile device to enable an application to identify the type of packet (Column 18, Lines 27-32).

11. Claims 15 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sandhu et al., Asako and Bostrom et al. in view of Salovuori (US Patent Publication No. 2002/0196781).

Referring to claim 15, Sandhu et al., Asako and Bostrom et al. teach the limitations of claim 15, but do not teach detecting a pressing of a predetermined key of the mobile device, activating speech transmission on the basis of the detection. Salovuori teaches detecting a pressing of a predetermined key of the mobile device, activating speech transmission on the basis of the detection (0052). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Sandhu et al., Asako and Bostrom et al. with the teaching of Salovuori of detecting a pressing of a predetermined key of the mobile device, activating speech transmission on the basis of the detection in a group call to request resources for speech (0052).

Referring to claim 32, Sandhu et al., Asako and Bostrom et al. teach the limitations of claim 32, but do not teach a keyboard with at least one key, means to detect a pressing of a predetermined key of the keyboard, means to activate speech transmission on the basis of the detection. Salovuori teaches a keyboard with at least one key, means to detect a pressing of a predetermined key of the keyboard, means to activate speech transmission on the basis of the detection (0052). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Sandhu et al., Asako and Bostrom et al. with the teaching of Salovuori of a keyboard with at least one key, means to detect a pressing of a predetermined key of the keyboard, means to activate speech transmission on the basis of the detection to request resources for speech in a group call (0052). Examiner equates keyboard with user interface keys.



12. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sandhu et al., Asako, Bostrom et al. and Salovuori and further in view of Haartsen (US Patent Publication No. 2003/0048806)

Referring to claim 17, Sandhu et al., Asako, Bostrom et al. and Salovuori teach the limitations of claim 17 including transmitting location information, but do not teach transmitting the information in a predefined part of the transmission. Haartsen teaches transmitting the information in a predefined part of the transmission (Figure 2). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Sandhu et al., Asako, Bostrom et al. and Salovuori with the teaching of Haartsen of transmitting the information in a predefined part of the transmission to prevent address contention in address list generation in overlapping, uncoordinated networks (0002).

13. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sandhu et al., Asako and Bostrom et al. in view of Grube et al. (US Patent No. 6,885,874)

Referring to claim 26, Sandhu et al., Asako and Bostrom et al. teach the limitations of claim 26, but do not teach wherein transmission of location related information is triggered by an external event detected by a sensor of the mobile device. Grube et al. teaches wherein transmission of location related information is triggered by an external event detected by a sensor of the mobile device (Column 3, Lines 45-51). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of

Art Unit: 2617

Sandhu et al., Asako and Bostrom et al. with the teaching of Grube et al. wherein transmission of location related information is triggered by an external event detected by a sensor of the mobile device to provide a group call with location sharing (Column 3, Lines 18-20).

14. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sandhu et al. and Das et al. in view of Kennedy, III et al.

Referring to claim 27, Sandhu et al. and Das et al. teach the limitations of claim 27, but does not teach wherein transmission of location related information is triggered by a voice command or a sound. Kennedy, III et al. teaches wherein transmission of location related information is triggered by a voice command or a sound (Column 8, Lines 12-14 and Column 14, Lines 29-31). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Sandhu et al. and Das et al. with the teaching of Kennedy, III et al. wherein transmission of location related information is triggered by a voice command or a sound to provide location information via a voice or data connection (Column 8, Lines 54-56).

15. Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sandhu et al., Asako and Bostrom et al. and further in view of Haartsen.

Referring to claim 34, Sandhu et al., Asako and Bostrom et al. teach the limitations of claim 34 including transmitting location information, but do not teach transmitting the

Art Unit: 2617

information in a predefined part of the transmission. Haartsen teaches transmitting the information in a predefined part of the transmission (Figure 2). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Sandhu et al., Asako and Bostrom et al. with the teaching of Haartsen of transmitting the information in a predefined part of the transmission to prevent address contention in address list generation in overlapping, uncoordinated networks (0002).

16. Claims 35, 36, 43 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sandhu et al in view Asako in view of Bostrom et al. and further in view of Kinnunen et al. (U.S. Patent No. 6,813,501).

Referring to claims 35, 43 and 46, Sandhu et al teaches a telecommunication system, comprising at least a first and second mobile device (Figure 1) at least one network element (Figure 1) means to determine the location of the first mobile device (Figure 2, GPS receiver), wherein the first mobile device includes transmitting means for transmitting speech and or data to the network element by using a predetermined transmission resource (Figure 1 & Column 2, lines 34-35, 58-61), responsive to the detection of speech and / or data (Column 4, Lines 58-62), transmitting with the speech and/or data to the network element using the predetermined transmission resource, information about the location of the mobile device to a predefined group of users including the second mobile device (Column 5, Lines 35-51 and Figure 1), currently connected to a network element of the communication system (Column 3, Lines 38-43 and Figure 1), but does not teach that when the communication device transmits data it detects the

transmission and responds to the transmission. Asako teaches that when the communication device transmits data (Column 1, Lines 29-30) it detects the transmission and responds to the transmission (abstract and Column 6, Lines 26-32). Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to combine the teaching of Sandhu et al with the teaching of Asako that when the communication device transmits data it detects the transmission and responds to the transmission to provide a method of detecting the transmission of data. Sandhu et al and Asako et al teach the limitations of claims 1 and 28 but do not teach acknowledging the reception of location information to which the information about the location of the device was transmitted. Bostrom et al. teaches acknowledging the reception of location information to which the information about the location of the device was transmitted (0018, the VMS in step 122 retrieves the previously stored GPS coordinates for the "car" and transmits a reply message to device 16....Preferable device 16 acknowledges the receipt of the reply message to the VMS.). Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to combine the teaching of Sandhu et al and Asako et al with the teaching of Bostrom et al. of acknowledging the reception of location information to which the information about the location of the device was transmitted to indicate that the reply message was received (0018). Sandhu et al., Asako and Bostrom et al. teach the limitations of claims 35, 43 and 46, but do not teach wherein the location information includes information regarding a method with which the location was determined. Kinnunen et al. teaches wherein the location information includes information regarding a method with which the location was determined (Column 2, Lines 22-24,47 & 58-64 and Column 8, Lines 62-65). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to

combine the teaching of Sandhu et al., Asako and Bostrom et al. with the teaching of Kinnunen et al. wherein the location information includes information regarding a method with which the location was determined to indicate the accuracy of the location data (Column 8, Lines 36-38). Referring to claim 46 Sandhu et al further teaches taking predefined privacy levels assigned to predefined groups or to users belonging to predefined groups are taken into account in the transmission of information (Column 5, Lines 53-65).

Referring to claim 36, Sandhu et al further teaches further comprising a second network element configured to act as a group management server (Column 8, Lines 36-38) and at least two mobile devices configured to participate in a group call (Column 2, Lines 34-35 & 58-62 and Column 5, Lines 35-47).

17. Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sandhu et al., Asako, Bostrom et al. and Kinnunen et al. in view of Salovuori (US Patent Publication No. 2002/0196781).

Referring to claim 37, Sandhu et al., Asako, Bostrom et al. and Kinnunen et al. teach the limitations of claim 37, but do not teach keyboard with at least one key, means to detect a pressing of a predetermined key of the keyboard, and means to signal a transmission request to the network element on the basis of the detection, wherein the network element is configured to receive the request and allocate transmission turns between the mobile devices on the basis of the requests received from the mobile stations. Salovuori teaches keyboard with at least one key,

Art Unit: 2617

means to detect a pressing of a predetermined key of the keyboard, and means to signal a transmission request to the network element on the basis of the detection, wherein the network element is configured to receive the request and allocate transmission turns between the mobile devices on the basis of the requests received from the mobile stations (0052). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Sandhu et al., Asako, Bostrom et al. and Kinnunen et al. with the teaching of Salovuori of a keyboard with at least one key, means to detect a pressing of a predetermined key of the keyboard, and means to signal a transmission request to the network element on the basis of the detection, wherein the network element is configured to receive the request and allocate transmission turns between the mobile devices on the basis of the requests received from the mobile stations to request resources for speech in a group call (0052).

Examiner equates keyboard with user interface keys.

18. Claim 44 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sandhu et al., Asako, Bostrom et al. and Kinnunen et al. in view of Kennedy, III et al. (US Patent No. 5,544,225)

Referring to claim 44, Sandhu et al further teaches the distribution medium comprising a computer readable medium (Figure 2, 17-i), a program storage medium (Column 2, Lines 58-62 and Figure 4), a record medium (Column 2, Lines 38-39), a computer readable memory (Column 2, 17-i), a computer readable software distribution package (Column 4, Line 10), a computer readable signal (Figure 1), a computer readable telecommunications signal (Figure 1),

and although Sandhu et al teaches using a PDA and Laptop he does not specifically state using a compressed software package. Kennedy III et al teaches using a compressed software package (Column 9, Lines 57-60). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Sandhu et al., Asako, Bostrom et al. and Kinnunen et al. with the teaching of Kennedy HI et al of using a compressed software package to provide location information via a voice or data connection (Column 8, Lines 54-56).

19. Claims 50, 52 and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sandhu et al., Asako and Bostrom et al. and further in view of Grube et al. (US Patent No. 2003/0100326).

Referring to claim 50, Sandhu et al., Asako and Bostrom et al. teach the limitations of claim 50, but do not teach showing the response acknowledgement at a display of the mobile device. Grube et al. teaches showing the response acknowledgement at a display of the mobile device (0006 & 0008). Therefore, at the time of the invention, it would have been obvious for one of ordinary skill in the art to combine the teaching of Sandhu et al., Asako and Bostrom et al. with the teaching of Grube et al. of showing the response acknowledgement at a display of the mobile device to coordinate a group's activities (0005).

Referring to claim 52, Sandhu et al., Asako and Bostrom et al. teach the limitations of claim 52, but do not teach the response acknowledgement is sent by the predefined group of

users including the location information of the predefined group of users. Grube et al. teaches the response acknowledgement is sent by the predefined group of users including the location information of the predefined group of users (0006 & 0008). Therefore, at the time of the invention, it would have been obvious for one of ordinary skill in the art to combine the teaching of Sandhu et al., Asako and Bostrom et al. with the teaching of Grube et al. of the response acknowledgement is sent by the predefined group of users including the location information of the predefined group of users to coordinate a group's activities (0005).

Referring to claim 53, Sandhu et al., Asako and Bostrom et al. teach the limitations of claim 53, but do not teach providing location information for at least one device controlled by a user of the predefined group. Grube et al. teaches providing location information for at least one device controlled by a user of the predefined group (0005, lead car). Therefore, at the time of the invention, it would have been obvious for one of ordinary skill in the art to combine the teaching of Sandhu et al., Asako and Bostrom et al. with the teaching of Grube et al. of providing location information for at least one device controlled by a user of the predefined group to coordinate a group's activities (0005).

20. Claim 51 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sandhu Sandhu et al., Asako and Bostrom et al. and further in view of Vlcek et al. (US Patent No. 5,493,694).

Referring to claim 51, Sandhu et al., Asako and Bostrom et al. teach the limitations of claim 51, but do not teach providing a response acknowledgement including location information



which is updated within a predetermined time interval. Vlcek et al. teaches providing a response acknowledgement including location information which is updated within a predetermined time interval (Column 1, Lines 41-45 and Column 3, Lines 41-46). Therefore, at the time of the invention, it would have been obvious for one of ordinary skill in the art to combine the teaching of Sandhu et al., Asako and Bostrom et al. with the teaching of Vlcek et al. of providing a response acknowledgement including location information which is updated within a predetermined time interval to allow a station to poll status and location information as deemed necessary (Column 1, Lines 41-46).

21. Claim 55 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sandhu et al., Asako and Bostrom et al. and further in view of Balfanz et al. (US Patent Publication No. 2005/0129240).

Referring to claim 55, Sandhu et al., Asako and Bostrom et al. teach the limitations of claim 55, but do not teach a connection between the mobile device and the network element or between the mobile device and mobile devices of the predetermined group of users is encrypted. Balfanz et al. teaches a connection between the mobile device and the network element or between the mobile device and mobile devices of the predetermined group of users is encrypted (0030). Therefore, at the time of the invention, it would have been obvious for one of ordinary skill in the art to combine the teaching of Sandhu et al., Asako and Bostrom et al. with the teaching of Balfanz et al. of a connection between the mobile device and the network element or

between the mobile device and mobile devices of the predetermined group of users is encrypted to provide information on a need to know basis (0030).

22. Claim 57 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sandhu et al., in view of Asako and further in view of Somani et al. (US Patent No. 6,718,173).

Referring to claim 57, Sandhu et al. teaches a data communication method in a communication system, comprising: transmitting and receiving speech and/or data by means of a plurality of terminals of a user of the communication system (Column 2, Lines 58-61), determining the location of each of the plurality of terminals (Column 2, Lines 36-38) responsive to the detection of speech and / or data (Column 4, Lines 58-62) by each of the plurality of terminals, transmitting, with the speech or data, information about the location of each of the plurality of terminals to a predefined group of users currently connected to a network element of the communication system (Column 2, Lines 59-63), taking predefined privacy levels assigned to the plurality of terminals into account in the transmission of the information (Column 5, Lines 53-65), but does not teach that when the communication device transmits data it detects the transmission and responds to the transmission. Asako teaches that when the communication device transmits data (Column 1, Lines 29-30) it detects the transmission and responds to the transmission (abstract and Column 6, Lines 26-32). Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to combine the teaching of Sandhu et al with the teaching of Asako that when the communication device transmits data it detects the transmission and responds to the transmission to provide a method of detecting the transmission

of data. Sandhu et al and Asako et al teach the limitations of claim 57 including transmitting location information to a predefined group of users, but do not teach transmitting the location information of a terminal that moves more than a predefined distance. Somani et al. teaches transmitting the location information of a terminal that moves more than a predefined distance (Column 1, Lines 20-25 and Column 4, Lines Column 4, Lines 56-59). Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to combine the teaching of Sandhu et al. and Asako with the teaching of Somani et al. of transmitting the location information of a terminal that moves more than a predefined distance to provide a conventional approach to location reporting (Column 1, Lines 21-25).

*Allowable Subject Matter*

23. Claim 41 is allowed. The reason for allowable subject matter is provided below:

Referring to claim 41, the references cited do not teach a network server configured to receive a location information request, to send location information updated within a given time limit as a response to the request, and to request the updating of location information not updated within the given time limit.

*Conclusion*

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James D. Ewart whose telephone number is (571) 272-7864. The examiner can normally be reached on M-F 7am - 4pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (571) 272-7872. The fax phone numbers for the organization where this application or proceeding is assigned are (571) 273-8300 for regular communications and (571) 273-8300 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.



James Ewart  
December 20, 2007



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